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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/955,013	09/10/2001	Robert S. Smith	VI-3	7852

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09/27/2004

Robert Samuel Smith
1263 EMORY STREET
SAN JOSE, CA 95126

EXAMINER

PHILIPPE, GIMS S

ART UNIT PAPER NUMBER

2613

DATE MAILED: 09/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/955,013

Applicant(s)

SMITH, ROBERT S.

Examiner

Gims S Philippe

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

This is a first action in response to application no. 09/955,013 filed on November 1st 2001 in which claims 1-6 are presented for examination.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uyttendaele et al. (US Patent no. 6788333) in view of Newlin et al. (US Patent no. 5877821).

Regarding claims 1-4, Uyttendaele discloses a system for coordinating video images being a part of a panoramic field of view with an audio signal generated from the part of the field of view (See Uyttendaele's Abstract, and col. 7, lines 8-31) which comprises a video camera having a panoramic lens representing a surrounding 360 field of view (See col. col. 11, lines 44-50); display means coupled to said video camera for displaying scenes of said field of view selected from said video signal (See col. 12, lines 34-46); a first receiver coupled to the display means for receiving a carrier signal modulated with an address corresponding to said scene selected from said video signal;

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and at least one transmitting station located at respective locations, an address memory (See col. 9, lines 24-36, col.10, lines 13-19, lines 37-41); a first carrier signal generator for generating an address modulated carrier signal and coupled to said address memory (See col. 9, lines 24-36); a transmitter for broadcasting the address modulated carrier signal to the receiver station (See col. 10, lines 45-67 and col. 11, lines 1-6).

It is noted that although Uyttendaele suggests a carrier modulation for media delivery which technically includes transmission and reception including a microphone (See Uyttendaele col. 9, lines 24-36, and col. 10, lines 13-19) it is silent about the microphone coupled to the first carrier signal generator arranged to activate the first carrier signal generator in response to the audio signal received by the microphone whereby the display means display a scene from the field of view corresponding to the address in response to the audio signal generated at the address as specified.

However, Newlin suggest the microphone coupled to the first carrier signal generator arranged to activate the first carrier signal generator in response to the audio signal received by the microphone whereby the display means display a scene from the field of view corresponding to the address in response to the audio signal generated at the address (See Newlin fig. 5, steps 525, 530, 535, and col. 10, lines 40-67, col. 11, lines 1-3, col. 4, lines 1-37).

Therefore, is considered obvious that one skilled in the art at the time of the invention would recognize the advantage of modifying Uyttendaele to incorporate the teaching of Newlin to provide a microphone coupled to the first carrier signal generator arranged to activate the first carrier signal generator in response to the audio signal

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received by the microphone whereby the display means display a scene from the field of view corresponding to the address in response to the audio signal generated at the address for the same purpose of providing a multimedia communication system as taught by Newlin (See Newlin col. 2, lines 51-61).

As per claim 5, Uyttendaele further provides a recorder arranged for recording the video signals and also means for displaying the video signal and generating the sound portion of the video (See col. 2, lines 56-67, col. 7, lines 8-31).

3. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Uyttendaele et al. (US Patent no. 6788333) in view of Newlin et al. (US Patent no. 5877821) as applied to claim 1 above, and further in view of Bradley et al. (US Patent no. 6483885).

Regarding claim 6, the combination of Uyttendaele and Newlin discloses most of the limitations. It is noted that the proposed combination is silent about a phase locked loop arranged for synchronization with computer means for calculating a distance between said transmitter and receiver as a function of phase difference between a carrier signals frequency generated by said second carrier frequency generator and said carrier signal received by said receiver from said first carrier signal after said first carrier signal generator is displaced by said distance from said second carrier signal generator.

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Bradley discloses synchronization with means for calculating a distance between said transmitter and receiver as a function of phase difference between a carrier signal frequency generated by said second carrier frequency generator and said carrier signal received by said receiver from said first carrier signal after said first carrier signal generator is displaced by said distance from said second carrier signal generator (See Bradley col. 4, lines 15-59, col. 8, lines 27-58).

Therefore, it is considered obvious that one skilled in the art at the time of the invention would recognize the advantage of incorporating the teachings of Bradley into the proposed combination of Uyttendaele and Newlin to provide the claimed second frequency carrier with PLL and distance calculating step for the same purpose of eliminating time delay in synchronization when users attempt to use the receiver as taught by Bradley (See Bradley col. 2, lines 34-47).

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Newlin (US Patent no. 6011579) teaches apparatus method and system for wireline audio and video conferencing and telephony, with network interactivity.


Driscoll, Jr. et al. (US Patent no. 6583815) teaches method and apparatus for presenting images from a remote location.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gims S Philippe whose telephone number is (703) 305-1107. The examiner can normally be reached on M-F (9:30-7:00) Second Monday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris S Kelley can be reached on (703) 305-4780. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Gims S Philippe
Primary Examiner
Art Unit 2613

GSP

September 19, 2004